

United States Government
National Labor Relations Board
OFFICE OF THE GENERAL COUNSEL

Advice Memorandum

DATE: May 15, 2000

TO : Daniel Silverman, Regional Director
Region 2

FROM : Barry J. Kearney, Associate General Counsel
Division of Advice

SUBJECT: United Parcel Service
Case 2-CA-32578

For the reasons set forth in the Region's submission dated May 10, 2000, we agree that absent settlement, complaint should issue in this case alleging that the Employer violated Section 8(a)(5) by refusing to furnish the Union with requested witness statements related to a pending grievance. See Ormet Aluminum Mill Products Corp., 8-CA-29061, Advice Memorandum dated September 5, 1997, setting forth the General Counsel's argument that the Board should replace the analysis of Anheuser-Busch, 237 NLRB 982 (1978), with that of Detroit Edison Co. v. NLRB, 440 U.S. 301 (1979), in evaluating whether witness statements should be disclosed.

B.J.K.